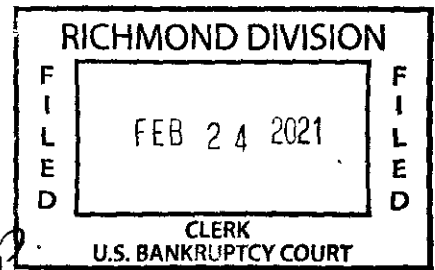


Motion to dismiss  
Virginia Eastern Bankruptcy court  
701 east broad street  
Eastern District VA  
Richmond  
VA 23219  
Judge Keith Philips Room #5100



16-30731-HP

This is a Motion to Dismiss Case (with prejudice for at least 24 months) or Convert to Chapter 7 - Case 16-30731 Debtor Colleen Higgins

The debtor had ~\$50,000 cash 90 days before filing bankruptcy that money disappeared or was spent in privilege payments and over the bankruptcy plan the debtor has only paid out to creditors about \$40k.

I'm not sure what acting in bad faith entails. but  
During this bankruptcy I feel that the debtor has 100% acted in bad faith.  
The debtor has been found by judges on record.

Juvenile court to be lying

General district court to be incorrectly using the court system against me.

Circuit court to be lying to the judge.

The debtor has even supplied a recording of herself (2018) planning to drown me in debt, wanting me dead, etc

#### Other Reasons

- 1 The debtor filed bankruptcy documents with false statement of facts on them to the bankruptcy court.
- 2 The debtor has not supplied any extra moneys received to the trustee.
- 3 The debtor has not correctly reported her income.
- 4 The debtor incurred new debt without authorization.
- 5 The debtor Lied on previous discovery response.
- 6 The debtor prepaid bills right before filing for bankruptcy
- 7 The debtor has acted in a bad faith
- 8 The debtor owes money for child support medical payments

**1 The debtor filed bankruptcy documents with false statement of facts on them to the bankruptcy court.**

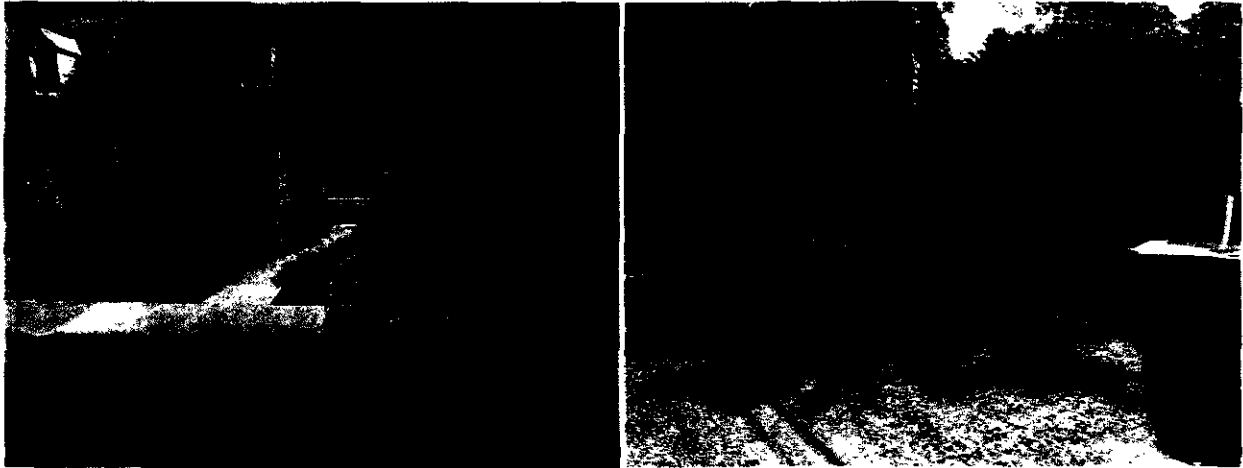
a Form 107 Page 3 (attachment pg 5a)

Within 90 days of filing for bankruptcy, Debtor Listed \$4000 paid to Matt Zwerdling for future custody case costs. Matts Zwerdling statement shows that he only received \$3000. (attachment pg 4) This money was a privileged pre-payment for future work that should have been clawed back.

b Within 90 days of filing for bankruptcy Form 107 Page 3 (attachment pg 5b) Debtor Paid \$11.5k in credit card purchases/payments (\$10,909 + \$600). This would be a privileged payment that should have been clawed back.

c Within 90 days of filing for bankruptcy Form 107 Page 3 (attachment pg 5c) Debtor reported a payment of \$7000 for a driveway on a prior house that has no driveway.

Picture of Prior House. This is a False statement as there is no driveway at prior house and has never been a driveway. Where did this \$7000 go?



d Within 90 days of filing for bankruptcy, Form 107 Page 3 (attachment pg 5d) Debtor reported a payment of \$7000 to mother for prior years rent.

The mother has stated under oath (early 2019) that she never received payment and was still owed the \$7000.

The mother also filed that the payment was still owed to her in her creditor filings claim 19-1 which were filed in 2016,17 and 18. (attachment pg 6)

**2 The debtor has not supplied any extra moneys received to the trustee.**

Non deposit to the trustee of tax refund 2016

Non deposit to the trustee of tax refund 2017

Non deposit to the trustee of bond \$5216 refund April 2019

Non deposit of disposable income received from cashed out 401k

*Non deposit of extra disposable income received*

**3 Debtor not correctly reported her income.**

On form 122C-1

The debtor reported that her income before any taxes, deductions, 401k, etc was \$46,734

But per her W2 Line 3 and 5 (attachment pg 7) it shows that her income prior to any deductions was \$54,378.96.

**4 Incurred new debt without authorization.**

I believe there is a rule that the debtor is not allowed to incur anymore debt without prior court approval.

Since filing for bankruptcy the debtor has incurred at least \$25,000 more debt. Without getting prior approval from the court.

**5 Lied on previous discovery response.**

Since filing for bankruptcy the debtor has incurred at least \$25,000 more debt.

The debtor lied on her discovery of 18<sup>th</sup> June 2018 (attachment pg 8 #2) that she had received no loans, gifts etc. since filing in 2016.

This is not a true statement because the Mother Judith Higgins has stated under oath (early 2019) that she has loaned the debtor at least \$25,000 since the debtor filed for bankruptcy (2016).

**6 Debtor prepaid bills just before filing**

**7 The debtor has acted in Bad faith**

During this bankruptcy I feel that the debtor has 100% acted in bad faith.

The debtor has been found to be lying by numerous judges on record.

Juvenile court to be lying

General district court to be incorrectly using the court system against me.

Circuit court to be lying to the judge.

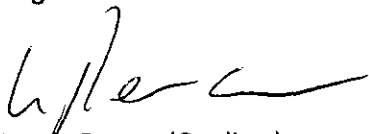
The debtor has even supplied a recording of herself (2018) planning to drown me in debt, wanting me dead, etc

**8 The debtor owes Child support medical payments from 2018**

I have filed with the juvenile courts that the debtor owes money for child support medical payments.

The debtor is aware and had the case continued from the Feb 2021 date.

Regards



Laurie Pearce (Creditor)

23 Feb 2021

A copy has been emailed to the Debtor  
on the 24 Feb 2021

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division

In re: Colleen Higgins  
9601 Inndall Rd Debtor(s)  
N.H. Caste Field  
UA

Case No.  
Chapter 16-30731-KLP  
#13

Plaintiff(s)

Adversary Proceeding No.

v.

Defendant(s)

CERTIFICATION UNDER LOCAL BANKRUPTCY RULE 2090-1

Document Title: motion to dismiss  
Date Document Filed: 24 Feb 2021  
Docket Entry No.

I declare under penalty of perjury that (Check one box):

- ☒ No attorney has prepared or assisted in the preparation of this document.  
☐ The following attorney prepared or assisted in the preparation of this document.

\_\_\_\_\_  
(Name of Attorney)

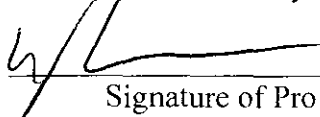
\_\_\_\_\_  
(Address of Attorney)

\_\_\_\_\_  
(Telephone Number of Attorney)

LAURIE PEARCE

\_\_\_\_\_  
Name of Pro Se Party (Print or Type)

\_\_\_\_\_  
Name of Pro Se Party (Print or Type)



\_\_\_\_\_  
Signature of Pro Se Party

\_\_\_\_\_  
Signature of Pro Se Party

Executed on: 24 Feb 2021 9:15AM (Date)